

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 22, 1994
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 9:06 a.m. to accept testimony from the public on Items 601 and 602. The meeting was recessed by Mayor Golding at 9:09 a.m. to meet in Closed Session in the 12th floor Conference Room to discuss litigation matters. The meeting was reconvened by Mayor Golding at 10:07 a.m. with all members present except Council Member McCarty. Mayor Golding recessed the meeting at 12:08 p.m. to reconvene at 2:00 p.m. The meeting was reconvened by Mayor Golding at 2:06 p.m. with Council Members Warden, Stallings, McCarty, and Vargas not present. Mayor Golding and Deputy Mayor Stevens acknowledged and welcomed students who were present as part of their learning process in critical thinking and independent judgment. Mayor Golding recessed the meeting at 3:36 p.m. to convene the Redevelopment Agency and thereafter, the Housing Authority. Mayor Golding reconvened the Council and Redevelopment Agency meetings at 3:54 p.m. with Council Member McCarty not present. Mayor Golding recessed the meeting at 3:55 p.m. to reconvene the Housing Authority. Mayor Golding reconvened the meeting at 4:43 p.m. with Council Member McCarty not present. Mayor Golding adjourned the meeting at 4:44 p.m. into Closed Session in the twelfth floor conference room to discuss pending litigation, and to the Special Workshop to be held on Monday, February 28, 1994, at 9:00 a.m. in the Council Chamber.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

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(7) Council Member McCarty-excused by
R-283668 (out-of-town personal business)

(8) Council Member Vargas-present

Clerk-Abdelnour (rb/mp)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

(M) Mayor Golding-present
(1) Council Member Mathis-present
(2) Council Member Roberts-present
(3) Council Member Kehoe-not present
(4) Council Member Stevens-not present
(5) Council Member Warden-present
(6) Council Member Stallings-present
(7) Council Member McCarty-not present
(8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-601: REFERRED TO CLOSED SESSION

SUBJECT: In the matter of authorizing the City Manager to
negotiate possible acquisition by the City of the Home
Federal Building at 625 Broadway, San Diego, from
Broadway JDS.

(Centre City Community Area. District-2.)

Accept testimony from any members of the public who
wish to address the Council on this subject, then refer
the matter to Closed Session for Council discussion.

CITY MANAGER'S RECOMMENDATION:

The City Manager's recommendation will be presented in Closed
Session on February 22, 1994. Members of the public wishing to
address the Council on this item should speak "in favor" or "in
opposition" to the subject.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A010-032.)

ITEM-602: REFERRED TO CLOSED SESSION

SUBJECT: In the matter of Notice of Interest in a Sale of Lots
5A, B and C and Option on 6B in Eastgate Technology
Park to Pyxis Corporation, and authorizing the City
Manager to negotiate with Pyxis Corporation.

(District-1.)

Accept testimony from any members of the public who
wish to address the Council on this subject, then refer
the matter to Closed Session for Council discussion.

CITY MANAGER'S RECOMMENDATION:

The City Manager's recommendation will be presented in Closed
Session on February 22, 1994. Members of the public wishing to
address the Council on this item should speak "in favor" or "in
opposition" to the subject.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A010-032.)

ITEM-10: INVOCATION

Invocation was given by Reverend Lawrence D. Bausch, Rector,
Holy Trinity Episcopal Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Mathis.

FILE LOCATION: MINUTES

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PUBLIC COMMENT:

ITEM-PC-1:

Comments by Ms. P.M. Azinga regarding infrastructure projects.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A063-100.)

ITEM-PC-2: REFERRED TO THE CITY MANAGER

Comments by Sidney Hall regarding the lack of electricity in his mobile home park located in the Fourth District.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A104-143.)

ITEM-PC-3:

Comments by Warren Nielson regarding Route 252 Corridor, Balboa Elementary School.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A144-150.)

ITEM-PC-4:

Comments by Ron Bociunq regarding Naval Aviation/Blue Angels.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A152-188.)

COUNCIL COMMENT:

None.

ITEM-30:

SUBJECT: City Attorney John W. Witt Day.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1119) ADOPTED AS RESOLUTION R-283393

Recognizing John W. Witt on his 25th Anniversary as
City Attorney and thanking him for his many years of
exemplary professional and community service to the
City; Proclaiming February 20, 1994 to be "City
Attorney John W. Witt Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A211-308.)

Motion by Stevens to adopt. Second by Vargas. Failed.
Yeas: M. Nays: 1,2,3,4,5,6,8. Not present: 7.

MOTION BY STEVENS TO RECONSIDER. Second by Vargas. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

ITEM-31: DENIED HEARING

SUBJECT: Request by Dennis Tuffin, et al, for a hearing of an
appeal from the decision of the Planning Commission in
approving the request for a Coastal Development Permit
CDP-93-0205 (Cape May). (CDP-93-0205. Ocean Beach
Community Plan Area. District-2.) A motion either
granting or denying the request for a hearing of the
appeal.

SUPPORTING INFORMATION:

The appeal is being requested for a Coastal Development Permit
for the construction of a 2,141-square-foot, two-story, stucco

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residential unit at the rear of a 7,000-square-foot lot. The project is located at 4646 Cape May Avenue in the R-3000 Zone in the Ocean Beach Community.

FILE LOCATION: PERM-CDP-93-0205

COUNCIL ACTION: (Tape location: A315-350.)

MOTION BY ROBERTS TO DENY THE HEARING. Second by Warden.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-32: DENIED HEARING

SUBJECT: Request by David Kilmer, et al, for a hearing of an appeal from the decision of the Planning Commission in approving La Jolla Shores/Coastal Development Permit LJS/CDP-92-0579.

(LJS/CDP-92-0579. La Jolla Community Plan Area.
District-1.)

A motion either granting or denying the request for a hearing of the appeal.

SUPPORTING INFORMATION:

The appeal is being requested for a permit to demolish an existing single-family residence and construction of a new, two-story, 4,960-square-foot single-family residence with pool. The property is located at 8151 Calle del Cielo in the La Jolla Shores Planned District within the La Jolla Community Plan Area.

FILE LOCATION: PERM-LJS/CDP-92-0579

COUNCIL ACTION: (Tape location: A351-392.)

MOTION BY MATHIS TO DENY THE HEARING. Second by Roberts.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-50:

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SUBJECT: Establishing a Permanent Advisory Board for Civic
Events and Promotional Programs Funded from Transient
Occupancy Tax Funds.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, amended according to the City
Council's direction on 1/31/94 (Council voted 8-1; District 7
voted nay):

(O-94-211 Rev.)

ADOPTED AS ORDINANCE O-18034
(New Series)

Amending Chapter II, Article 6, of the San Diego
Municipal Code, by adding Division 6, Sections 26.0601,
26.0602 and 26.0603, relating to Civic Events and
Promotional Programs Allocation Board, establishing a
nine-member board, appointed by the Mayor and confirmed
by Council, with 2 nominations submitted by each
Councilmember.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Warden. Passed by the following
vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea,
Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,
Mayor Golding-yea.

*** ITEM-51:**

SUBJECT: Prohibiting "War Games" in City Parks.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
1/31/94 (Council voted 9-0):

(O-94-45) ADOPTED AS ORDINANCE O-18035 (New Series)

Amending Chapter VI, Article 3, of the San Diego
Municipal Code by amending Section 63.08, relating to
Possession of Firearms and Other Devices in Parks and
Open Space Areas, to include a prohibition of war games
using laser-scope-equipped devices.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Amending the San Diego Municipal Code relating to Child Care Facilities (Regulatory Relief).

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/1/94, Subitem CC (Council voted 9-0):

(O-94-12 Cor. Copy) ADOPTED AS ORDINANCE O-18036 (New Series)

Amending Chapter X, Article 1, Division 5, of the San Diego Municipal Code, by amending Section 101.0580, relating to Child Care Facilities, by clarifying the application procedures for obtaining a permit to operate a child care facility and expanding the areas in which a child care facility can be located.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Re-zoning in connection with the Interstate Retail Center. (RZ-93-0288. Kearny Mesa Community Area. District-5.)

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CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
2/8/94 (Council voted 9-0):

(O-94-62) ADOPTED AS ORDINANCE O-18037 (New Series)

Re-zoning 2.41 acres located at 5150 Murphy Canyon Road
into the CA-RR Zone.

FILE LOCATION: ZONE ORD

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Warden. Passed by the following
vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea,
Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

*** ITEM-54:**

SUBJECT: Fourth Amendment to the First San Diego River
Improvement Project (FSDRIP) Development Agreement.

(Case-35-0361. Mission Valley Community Area.
District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on
2/8/94 (Council voted 9-0):

(O-94-63) ADOPTED AS ORDINANCE O-18038 (New Series)

Approving the fourth amendment to the First San Diego River
Improvement Project (FSDRIP) Development Agreement with
Calmat Co., MBM Associates, MBM West II and Mission Colony
Partners, Mission Valley One, Ltd., Mission Valley
Partnership, R.E. Hazard Contracting Company, Hazard Center
Associates, and San Diego Bond - MBM Associates Ltd.

FILE LOCATION: DEVL-First San Diego River Improvement
Project (FSDRIP)

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-55:

SUBJECT: Fifth Amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement for Rio Vista West.

(Mission Valley Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 2/8/94 (Council voted 9-0):

(O-94-67) ADOPTED AS ORDINANCE O-18039 (New Series)

Approving the fifth amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement with Calmat Co. for Rio Vista West.

FILE LOCATION: DEVL-First San Diego River Improvement Project (FSDRIP)

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-56:

SUBJECT: Sixth Amendment to the First San Diego River Improvement Project (FSDRIP) Development Agreement for Hazard Center Phase II.

(Mission Valley Community Area. District-6.)

CITY COUNCIL'S RECOMMENDATION:

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Adopt the following ordinance, which was introduced on 2/8/94
(Council voted 9-0):

(O-94-68) ADOPTED AS ORDINANCE O-18040 (New Series)

Approving the sixth amendment to the First San Diego
River Improvement Project (FSDRIP) Development
Agreement with R.E. Hazard Contracting Co., for Hazard
Center Phase II.

FILE LOCATION: DEVL-First San Diego River Improvement
Project (FSDRIP)

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND
ADOPT ORDINANCE. Second by Warden. Passed by the following
vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea,
Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea,
Mayor Golding-yea.

*** ITEM-57:**

SUBJECT: Joint Use Agreement for Richard Henry Dana Center (Dana
Junior High School).

(Peninsula Community Area. District-2.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 2/7/94.
(Council voted 9-0):

(O-94-61) ADOPTED AS ORDINANCE O-18041 (New Series)

Authorizing a twenty-five year joint use agreement with
the San Diego Unified School District for the
construction, operation, maintenance, and lease of
turfed field and recreation facilities at the Richard
Henry Dana Center; Authorizing the expenditure of not
to exceed \$100,000 from Fund 79508, Peninsula Urban
Impact Fees, to reimburse the School District for the
construction of improvements.

Aud. Cert. 9400673.

FILE LOCATION: LEAS-San Diego Unified School District

Richard Henry Dana Center LEAS FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-58:

SUBJECT: Changing the name of the Property Department to the Real Estate Assets Department.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-94-64) INTRODUCED, TO BE ADOPTED ON MARCH 7, 1994

Introduction of an Ordinance amending Chapter II, Article 2, of the San Diego Municipal Code by amending Division 2, by amending Sections 22.0220 and 22.0221, and by repealing Sections 22.0222, 22.0223 and 22.0224; by amending Division 7, Section 22.0706; by amending Division 9, by renumbering and amending Sections 22.0902.1 to 22.0903; by renumbering Section 22.0902.2 to 22.0904; and by amending Division 18, Section 22.1801, all relating to changing the name of the Property Department to the "Real Estate Assets Department."

CITY MANAGER SUPPORTING INFORMATION:

The Property Department is responsible for acquiring, managing, developing and selling real estate. It negotiates and administers 400 revenue leases (which produce \$25 million in annual revenue for the City), 140 leases to non-profit entities, and 80 leases of space for use by City staff. It annually acquires around \$15 million of interests in real estate and sells on the order of \$10 million of excess real property. The Department also maintains the records for an inventory of 1,400 parcels with an area of 73,000 acres. Because of the Department's extensive involvement in real estate matters, it is believed that the term "real estate" should be included in the Department's title. The proposed Municipal Code revisions will

change the Property Department's name to "Real Estate Assets Department." The ordinance will also revise all references to the Property Department and its responsibilities, as well as the outdated references to its predecessor. The purpose of the name change is to reflect the department's expanded role in managing the City's increasing real estate assets. Additional activities include: (1) Implementing the City Council's real estate management policies; (2) Using professional management techniques to preserve and enhance the value of the City's real estate; (3) Increasing revenue generation from real estate assets which emphasizes the City's commitment to entrepreneurial activities; (4) Utilizing the City's real estate to enhance economic development; and (5) Balancing the interests of the community with the economic return on the assets. The department will also continue to perform acquisitions and valuations on properties to be acquired or disposed of.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: E180-250.)

MOTION BY VARGAS TO INTRODUCE THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-59:

SUBJECT: Relocation of Rancho Bernardo Library.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-94-65) INTRODUCED, TO BE ADOPTED MARCH 7, 1994

Introduction of an Ordinance authorizing the City Manager to execute a Declaration of Covenants, Conditions, Restrictions and Reciprocal Easement Agreement for Park Terrace Center in connection with the City's acquisition of Lot 9 of Park Terrace for construction and operation of a public library.

NOTE: See Item 129 for a companion item.

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FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO INTRODUCE THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding a Contract for the Construction of Sewer Pump Station No. 20.

(La Jolla Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-988) ADOPTED AS RESOLUTION R-283394

Awarding a contract to El Cajon Grading and Engineering Company, Inc. (El Cajon), for construction of Pump Station No. 20 improvements; Authorizing the additional expenditure of \$25,000 from the Annual Allocation for Sewer Pump Station Restoration, CIP-46-106.0, to supplement Resolution R-282832, for the project and related costs; Stating that the City as Lead Agency has reviewed and considered the final environmental document Mitigated Negative Declaration DEP-92-0418. (BID-K94058)

CITY MANAGER SUPPORTING INFORMATION:

On November 18, 1993, seven bids were opened for the construction of Sewer Pump Station No. 20. The lowest acceptable bid of \$785,000 was 2.4 percent over the engineer's estimates of \$766,906. This is \$19,094 above the previously authorized funds. It is not anticipated that there-advertisement will result in any saving to the City; therefore, staff recommends that this project be awarded to the apparent lowest bid contractor, El Cajon Grading & Engineering Company, Inc. for the amount of \$785,000.

Aud. Cert. 9400723.

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WU-P-94-090.

FILE LOCATION: CONT-El Cajon Grading and Engineering
Company, Inc. (El Cajon) CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding a Contract to Dietrich Corporation for
Construction of Water and Sewer Group 612.

(Peninsula, Midway/Pacific Highway Corridor Community
Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-985) ADOPTED AS RESOLUTION R-283395

Awarding a contract to Dietrich Corporation (San
Diego), for construction of Water and Sewer Group 612;
Authorizing the additional expenditure of \$55,784 from
Sewer Revenue Fund 41506, CIP-44-001, Annual Allocation
- Sewer Main Replacement Program, to supplement the
funding authorized by Resolution R-282716.
(BID-K94049)

CITY MANAGER SUPPORTING INFORMATION:

The bids were opened for Group Job 612 on November 4, 1993.
Dietrich Corporation was the low bidder at \$988,069. The
submitted bid amount was above the engineer's estimate, bringing
the total project cost to \$1,483,270. This is \$55,784 above the
previously authorized funds.

Aud. Cert. 9400680.

WU-P-94-084.

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FILE LOCATION: CONT-Dietrich Corporation (San Diego)
CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*** ITEM-102:**

SUBJECT: Awarding a Contract for Microcomputer Software and Upgrades.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1013) ADOPTED AS RESOLUTION R-283396

Awarding a contract to Egghead Software (Issaquah, WA), for the purchase of specific commercial microcomputer software and upgrades, as may be required for a period of 6 months beginning November 1, 1993 through April 30, 1994, for a total estimated cost of \$95,400, including tax, with options to renew the contract for five additional 6 month periods, with option period price increases not to exceed the prices in effect for the previous contract period by more than 5 percent. (BID-E4058/94)

FILE LOCATION: CONT-PURCHASE-Egghead Software
(Issaquah, WA) CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*** ITEM-103:**

SUBJECT: Extending the Contract for Protective Vests.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1032) ADOPTED AS RESOLUTION R-283397

Extending the contract with San Diego Police Equipment Co. (San Diego), for furnishing protective vests, as may be required for a period of three months beginning December 1, 1993 through April 30, 1994, for a total estimated cost of \$41,000, including sales tax. (BID-I1775/91)

FILE LOCATION: CONT-PURCHASE-San Diego Police
Equipment Co. (San Diego) CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Awarding a Contract for Scott Breathing Apparatus
Repair/Replacement Parts.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1031) ADOPTED AS RESOLUTION R-283398

Awarding a contract to Safety Supply America (San Diego), for the purchase of Scott Breathing Apparatus Repair/Replacement Parts, as may be required for a period of one year beginning April 1, 1993 through March 31, 1994, for an estimated cost of \$60,000, with options to renew for three additional one year periods at 22 percent off the List Price for the first year; and 20 percent off the List Price for the 2nd and 3rd year. (BID-I3625/93)

FILE LOCATION: CONT-PURCHASE-Safety Supply America
(San Diego) CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Inviting bids for the Construction of Sewer and Water Main Replacement Group 492.

(Mountain View Neighborhood. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-990) ADOPTED AS RESOLUTION R-283399

Inviting bids for the Construction of Sewer and Water Main Replacement Group 492 on Work Order No. 181431/171821; Authorizing the execution of a contract with the lowest responsible bidder; Authorizing the expenditure of not to exceed \$856,218 from Sewer Revenue Fund CIP-41506, CIP-44-001.0, and not to exceed \$698,209 from Water Revenue Fund 41500, CIP-73-083.0, for the purpose of executing the contract and related costs; Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94093)

Subitem-B: (R-94-992) ADOPTED AS RESOLUTION R-283400

Authorizing the use of City Forces to make connections and perform operational checks; declaring that the cost of the work shall not exceed \$215,680.

Subitem-C: (R-94-991) ADOPTED AS RESOLUTION R-283401

Certifying that the information contained in Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, DEP-92-0382, dated 7/20/92, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and

considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Sewer and Water Replacement Group 492 proposes to replace old and deteriorated concrete sewer and cast iron water mains in the Mountain View Neighborhood of San Diego. This project consists of the replacement and rehabilitation of approximately 6,795 feet of deteriorated sewer mains and 4,233 feet of cast iron water mains. This project is part of the City of San Diego's continuing Annual Sewer and Water Main Replacement Program.

Aud. Cert. 9400709.

WU-P-94-077.

FILE LOCATION: W.O. 181431/171821 CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Inviting bids for the Construction of Picador Boulevard Flashing Beacons and Traffic Signal Systems at Calle Cristobal and Windy Ridge Way.

(Mira Mesa and Otay Mesa/Nestor Community Areas.
Districts-5 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-987) ADOPTED AS RESOLUTION R-283402

Inviting bids for the Construction of Picador Boulevard Flashing Beacons and Traffic Signal Systems at Calle Cristobal and Windy Ridge Way on Work Order No. 112161; Authorizing the execution of a contract with the lowest responsible bidder; Authorizing the expenditure of \$152,850 from CIP-61-001.0, Annual Allocation - Sudden Traffic Changes, Fund 30300; Authorizing the Auditor

and Comptroller, upon advice from the administering
department, to retain excess monies, if any, in
CIP-61-001.0. (BID-K94092)

CITY MANAGER SUPPORTING INFORMATION:

The subject Capital Improvement Program project to install a traffic signal system provides for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Traffic signal features include protected left-turn pockets on Calle Cristobal and emergency vehicle preemption equipment on Calle Cristobal and Windy Ridge Way. The new traffic signal will be interconnected to the existing traffic signal at Calle Cristobal and Prairie Wood Drive. The installation of flashing beacons on Picador Boulevard near Forest Glen Road and Majestic Drive will provide advance warning of school children crossing Picador Boulevard.

Aud. Cert. 9400738.

FILE LOCATION: W.O. 112161 CONT-LEKOS ELECTRIC INC. CONT
FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-107:

SUBJECT: Two actions related to the Final Map of Allred-Collins Business Park East.

(A six-lot subdivision located between Ruffner Street and Convoy Street, north side of Copley Park Place. Serra Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1130) ADOPTED AS RESOLUTION R-283403

Authorizing a Subdivision Improvement Agreement with
NAS Convoy Partnership (San Diego), for the

installation and completion of certain public
improvements.

Subitem-B: (R-94-1129) ADOPTED AS RESOLUTION R-283404
Approving the final map.

FILE LOCATION: SUBD-Allred-Collins Business Park East
CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Two actions related to Parcel Map W.O. No. 930162 and
Land Sale and Acquisition.

(Located southeasterly of Carmel Creek Road and Carmel
Center Road. Carmel Valley Community Area.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1064) ADOPTED AS RESOLUTION R-283405
Approving Parcel Map W.O. 930162.

Subitem-B: (R-94-1065) ADOPTED AS RESOLUTION R-283406

Authorizing the exchange with Pardee Construction
Company of 2,739 square feet of land from Open Space
Lot 77 (Carmel Valley Neighborhood 1, Unit 11,
Map-12408) for 2,160 square feet of land from
Residential Lot 33 (Unit 11) to become part of Open
Space Lot 60 of Parcel Map W.O. 930162, including the
exchange of non-contributing "slivers" of equal total
appraised value; Approving the acceptance by the City
Manager of a grant deed of Pardee Construction
Company, granting to the City Parcel A5 (a portion of
Lot 33 of Unit 11), Parcels A1 through A4, and Parcel
A6, for a total of 2,950 square feet; Authorizing the

execution of a grant deed conveying to Pardee
Construction Company Parcels R1 through R4, for a total
of 2,835 square feet.

CITY MANAGER SUPPORTING INFORMATION:

The subdivision, Carmel Valley Neighborhood 1, Unit 11, Map-12408, originally designed for duplex homes, is currently being redesigned following its purchase by Pardee Construction Company from The Baldwin Company, to create larger lots for detached single family homes. The redesign of Unit 11 has resulted in encroachment into City owned space, as well as in creating excess lands which, in the "after" condition, will be included within the redesigned open space parcel. The lot line adjustments primarily involve slivers of land at the rear of the lots in both the existing and proposed design, except for two parcels which include lands comprising most of two home-sites. The slivers in both the "before" and "after" condition have only limited contribution to the utility of the home-sites. The contributory fair market value of the sliver parcels is estimated to be nominal and, consequently, equal in both the "before" and "after" condition. Two residential home-sites which are measurably affected by the subdivision redesign must be valued separately. The parcels are identified as "A5" and the portion of "R4" lying southerly of the southerly lot line of Lot 32, on the Land Sales Plat (Drawing No. 27033-D). The portion of "R4" involves 2,739 square feet of land which is to be conveyed by the City to Pardee from Open Space Lot 77, Unit 11. Parcel "A5" involves 2,160 square feet and will be acquired by the City from Pardee and become part of revised Open Space Lot 60 of the subject map.

FILE LOCATION: SUBITEM-A: SUBD-Carmel Neighborhood 1
Unit 11; SUBITEM-B: DEED F-6235 DEED
FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-109:

SUBJECT: Parcel Map No. W.O. 930462.

(Located south of Caminito Exquisito and east of Carmel Valley Road and Carmel Country Road. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1151) ADOPTED AS RESOLUTION R-283407

Approving Parcel Map No. W.O. 930462, a lot consolidation and lot line adjustment of Lots 184 through 207, 242 through 245, T, Y, BB, CC, and portions of Lots P, Q and Z of Carmel Valley Village Unit No. 3.

FILE LOCATION: SUBD-Carmel Valley Village Unit 3, Lots 184-207; 242-245; T, Y, BB, CC, P, Q, & Z

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-110:

SUBJECT: Street Dedication - Hall Avenue between Cottonwood Drive and Cypress Drive.

(Located northwesterly of I-805 and San Ysidro Boulevard. San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1098) ADOPTED AS RESOLUTION R-283408

Approving the acceptance by the City Manager of a grant deed of Trabajadores de la Raza, Inc., granting to the City an easement for public street purposes in a portion of Lot 143, San Ysidro, Map-1174; Dedicating the land as and for a public street and naming the same Hall Avenue.

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FILE LOCATION: DEED F-6236 DEED FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*** ITEM-111:**

SUBJECT: Alley Dedication located at the Rear of 4533 Adair Street.

(Located south of Adair Street, between Froude Street and Guizot Street. Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1118) ADOPTED AS RESOLUTION R-283409

Accepting the deed of Lee J. Zook, Sequoia Ruppert-Zook, Wayne. Zook and Crystal R. Zook, granting to the City an easement for public street purposes in a portion of Lot 4, Block 6, Sunset Cliffs, Map-1889; and Dedicating the land as a public alley.

FILE LOCATION: DEED F-6237 DEED FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*** ITEM-112:**

SUBJECT: Drainage Easement Exchange.

(Mid-City Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1104) ADOPTED AS RESOLUTION R-283410

Approving the acceptance by the City Manager of the deed of Gerald P. Pfaff, conveying to the City a drainage easement in a portion of Lots 41, 42, 43 and 44 of Block 4 of Fairmount Addition, Map-1347; Authorizing the execution of a quitclaim deed, quitclaiming to Gerald P. Pfaff, all of the City's right, title and interest in the drainage easement in Lots 41, 42, 43 and 44 of Block 4 of Fairmount Addition, Map-1347.

FILE LOCATION: DEED F-6238 DEED FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Sylura Barron Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1184) ADOPTED AS RESOLUTION R-283411

Commending Ms. Sylura Barron for her commitment and dedication in bettering the quality of life for people of color; Proclaiming February 11, 1994 to be "Ms. Sylura Barron Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,

Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Second Annual Fourth Council District Arts and Cultural
Festival.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1185) ADOPTED AS RESOLUTION R-283412

Waiving the provisions of Council Policy 100-2 to allow receipt of donations for the Second Annual Fourth Council District Arts and Cultural Festival on Saturday, April 9, 1994; Authorizing the City Auditor and Comptroller to establish a special fund to record all revenues and expenditures of the event, and thereafter deposit any excess donations in the General Fund; Authorizing the execution of all contracts necessary regarding the event, to be funded to the extent of monies donated and received by the Auditor and Comptroller; Approving the proposed budget for the Second Annual Fourth Council District Arts and Cultural Festival.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Adat Ami Congregation Day.

COUNCILMEMBER STALLINGS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1157) ADOPTED AS RESOLUTION R-283413

Recognizing Adat Ami Congregation on the occasion of
its building dedication; Proclaiming February 27, 1994
to be "Adat Ami Congregation Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

ITEM-116:

SUBJECT: Luis E. Garcia and Donald and Connie Goertz vs. City of
San Diego - Tentative Map/Hillside Review/Resource
Protection Ordinance Permit TM/HRP/RPO-90-0834.

(University Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1120) ADOPTED AS RESOLUTION R-281143

Adopting findings with respect to Hillside
Review/Resource Protection Ordinance Permit
HRP/RPO-90-0834, for a two-lot subdivision of an
existing lot and the construction of a 2,270
square-foot single family home, on a site with an
existing single-family home, located at 3230 Welmer
Place; Denying the appeal of Luis E. Garcia;
sustaining the decision of the Planning Commission and
denying Tentative Map TM-90-0834.

FILE LOCATION: PERM - HRP/RPO-90-0834; SUBD - The
Bluffs, Map 6208, Unit 1, Lot 27

COUNCIL ACTION: (Tape location: E254-374.)

MOTION BY ROBERTS TO ADOPT THE RESOLUTION. Second by
Stallings. Passed by the following vote: Mathis-not
present, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea,
Stallings-yea, McCarty-not present, Vargas-nay, Mayor
Golding-yea.

ITEM-117:

SUBJECT: Purchase of Two Multi-space Parking Meters and
Eighty-six Single Space Parking Meters.

(Hillcrest, University Heights, East San Diego, and
Logan Heights Community Areas. Districts-2, 3, 4, 7,
and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1137) ADOPTED AS RESOLUTION R-283442

Authorizing the City Manager to expend an amount not to
exceed \$38,500 from Fund 100, Department No. 535,
Organization No. 233, Account No. 6010, Job Order No.
5601, for the purchase of two multi-space parking
meters, and eighty-six single space parking meters.

CITY MANAGER SUPPORTING INFORMATION:

In April 1992, Traffic Engineering Division reported to City Council on possible alternatives to the traditional mechanical parking meter. Council directed staff to pursue test studies of feasible alternatives and adopted Resolution R-279702 for this purpose. In continued pursuit of this directive, Traffic Engineering believes that multi-space parking meters are worthy of testing and is recommending the purchase of two multi-space parking units. Each multi-space parking unit costs approximately \$5,000. The units are battery operated and can be building mounted, light pole mounted, or stand alone on the sidewalk. The concept is that one multi-space meter would take the place of 12 to 15 single space meters. The result would be improvements to the street aesthetics, and increased maintenance and collection efficiencies. To achieve a cost effective program each multi-space meter must serve at least twelve parking spaces. The multi-space units are coin operated and will dispense a time ticket that the parker displays on the dashboard of the vehicle. Traffic Engineering plans on testing the feasibility and effectiveness of the units for 6 to 8 months. In addition, 86 single space parking meters are needed for replacement of existing parking meters at various locations throughout the City and for installation of new meters at previously approved sites.

Aud. Cert. 9400770.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E396-F078.)

MOTION BY STALLINGS TO ADOPT THE RESOLUTION. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-nay, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Authorizing the Purchase of Library Materials for Valencia Park Branch Library.

(Emerald Hills Neighborhood. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1124) ADOPTED AS RESOLUTION R-283414

Authorizing the expenditure of not to exceed \$269,000 from CIP-35-079.0, Valencia Park Branch Library, Fund No. 79511, Southeast San Diego Urban Impact Fees, to purchase library materials for the new Valencia Park Branch Library.

CITY MANAGER SUPPORTING INFORMATION:

The City of San Diego was awarded a grant of \$2,966,943 from the State Library Construction and Renovation Bond Act of 1988 to build a new 26,042 square foot library for Valencia Park. This action will authorize the purchase of library materials, including but not limited to, books, periodicals and audio-visual materials, as budgeted in CIP-35-079.0, Valencia Park Branch Library for this facility. Funds for land acquisition and design were authorized by previous Council actions. Future Council action will be requested to authorize funds for construction and furnishings.

Aud. Cert. 9400746.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Additional Funding for San Ysidro Activity Center
Improvements.

(San Ysidro Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1068) ADOPTED AS RESOLUTION R-283415

Authorizing the Auditor and Comptroller to transfer not to exceed \$92,183 from CIP-29-683.0, Annual Allocation - Recreation Center Security Lighting Phase II, Capital Outlay Other Fund 302453 to CIP-37-183.0, San Ysidro Activity Center; Authorizing the expenditure of not to exceed \$92,183 from CIP-37-183.0, for the purpose of supplementing funds authorized by Resolution R-280574, for the San Ysidro Activity Center Project.

CITY MANAGER SUPPORTING INFORMATION:

The San Ysidro Activity Center is located at 179 Diaz Road in the San Ysidro Community Planning Area. The City acquired the facility from the Boys Club of South Bay Inc., San Ysidro Branch in September 1987. Council approved the plans for the proposed improvements on September 14, 1992, and the award of a construction contract on January 25, 1993. Work on site began in May 1993. The proposed work included site improvements, minor interior remodeling and the removal and reconstruction of the gym floor and the foundation for the gym. The building was constructed on poorly compacted fill and as a result the gym settled and the floor cracked. Reinforced concrete piers and a new floor structure have been constructed. Unanticipated problems related to the construction of concrete piers in the fill area under the gym have increased construction and contract administration costs. Construction change orders totaling about \$46,000 are being negotiated.

Aud. Cert. 9400679.

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FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Addition to FY 1994 CIP and Transfer of Funds for Canyon Crest Drive/Waring Road Extension.

(College Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1123) ADOPTED AS RESOLUTION R-283416

Amending the FY 1994 Capital Improvements Program by the addition of CIP-52-574.0, Canyon Crest Drive/Waring Road Extension; Authorizing the Auditor and Comptroller to transfer not to exceed \$100,000 from Proposition A, Fund 30300, CIP-52-433.0, Fairmount Avenue - Montezuma Road to I-8 to CIP-52-574.0, Canyon Crest Drive/Waring Road Extension; Authorizing the Auditor and Comptroller to transfer not to exceed \$100,000 from CIP-52-574.0 to the Redevelopment Agency of the City of San Diego, Fund 98100, for payment of this project.

CITY MANAGER SUPPORTING INFORMATION:

The College Community and District 7 would like to fund a Preliminary Engineering Study (\$100,000 estimated cost) to extend Canyon Crest Drive which serves as the frontage road to I-8 on the south side of the freeway, west of College Avenue, from its existing terminus, westerly to connect to Waring Road at I-8. The College Community Redevelopment Plan Budget will include this expenditure. The needed funds will initially be obtained by transferring \$100,000 from CIP-52-433.0, Fairmount Avenue from Montezuma Road to I-8. This project will be reimbursed when tax increments from the redevelopment project become available in Fiscal Year 1995. The study is included in the College Area Community Plan Update and will be performed by

Engineering and Development Department staff.

Aud. Cert. 9400743.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: City Heights Youth and Community Center Land and Building.

(City Heights Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1082) ADOPTED AS RESOLUTION R-283417

Authorizing the expenditure of not to exceed \$360,000 from Community Development Block Grant (CDBG) Fund No. 18529, Org.4202, Object Account 4638, Job Order 521653, for the acquisition of real property and related costs in connection with the City Heights Youth and Community Center.

CITY MANAGER SUPPORTING INFORMATION:

San Diego Youth and Community Services (SDYCS) requested and received Council approval for CDBG funds to purchase the building at 3660 Fairmount Avenue. SDYCS currently operates its Teen Recovery Center and Teen Options from four leased residential units in the area. These leased units are inadequate in size and location, and are scheduled for demolition. Through numerous discussions with service providers, funding sources, and health and human service planning agencies, it was determined that the expansion of these services to a location closer to Highland Landis Park was essential. The new site will allow expanded, more accessible services (particularly gang intervention and youth diversion) and will provide space for other service providers and

neighborhood groups to co-locate their offices at the site.

Aud. Cert. 9400764.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: San Diego Police Department Volunteers in Policing
Program Award Application.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1121) ADOPTED AS RESOLUTION R-283418

Authorizing the City Manager to apply for, accept, and expend an Innovations in State and Local Government Award from the Ford Foundation and the John F. Kennedy School of Government at Harvard University for the San Diego Police Department Volunteers in Policing Program.

CITY MANAGER SUPPORTING INFORMATION:

The Ford Foundation and the John F. Kennedy School of Government at Harvard University have solicited applications for the 1994 "Innovations in State and Local Government" Awards of \$100,000 each. The San Diego Police Department Volunteers in Policing staff has prepared an application for the award, citing the success in developing the Volunteers in Policing Program, including the core volunteers, the Crisis Intervention Team, the Retired Senior Volunteer Patrol, and the Disabled Parking enforcement team. If awarded, funds will be used to support and augment the Department's volunteer program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Agreement with the Black Economic Development Task Force for Economic Development Activities.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1097) ADOPTED AS RESOLUTION R-283419

Authorizing the execution of an agreement with the Black Economic Development Task Force (BEDTF), for economic development activities; Authorizing the expenditure of an amount not to exceed \$142,000 from Fund 18529, Dept. 4049, Org. 4918.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1993-94 Community Development Block Grant (CDBG) appropriation cycle, approved three projects totaling \$142,000 for the Black Economic Development Task Force (BEDTF). The three projects and dollar amounts approved included: Community Economic Development and Research Center (\$43,000); Minority and Women Businesses Government Contract Assistance (\$49,000); and Capital Formation Program (\$50,000). The BEDTF opted to not undertake the Minority and Women Businesses Government Contract Assistance project because it duplicated some of the services to be provided by another 1993-94 CDBG grantee. The San Diego County Black Chamber of Commerce, through its Certification Assistance Program, will assist minority and women businesses to get certified and to secure government contracts. Monies approved for the BEDTF's government contract assistance project was shifted to the other two programs broadening their scope and strengthening their efforts. Budgets for the two remaining projects total the \$142,000 approved for the BEDTF.

Aud. Cert. 9400741.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-124:

SUBJECT: First Amendment to the Agreement with Hunsaker and Associates to provide Consultant Services for the Improvement of West Bernardo Drive.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1085) ADOPTED AS RESOLUTION R-283443

Authorizing the execution of a first amendment to the agreement with Hunsaker and Associates, to provide consultant services for the improvement of West Bernardo Drive; Authorizing the expenditure of not to exceed \$56,260 from CIP-52-489.0, West Bernardo Drive, Andanza Way to I-15, Fund 30300.

CITY MANAGER SUPPORTING INFORMATION:

On June 7, 1993, City Council approved a consultant services agreement with Hunsaker and Associates, to provide professional services for the Phase I Improvement of West Bernardo Drive from Andanza Way to I-15. Under this agreement, the consultant proceeded with the roadway design under four-lane major street standards. Through the early stages of the design, it was determined that the existing roadway conditions would not accommodate adequate stopping sight distance. On August 9, 1993, the Transportation Planning Division recommended a reclassification of this roadway to a four-lane collector. This change will require a redesign of a portion of the project and that the existing consultant contract be increased by \$56,260. Aud. Cert. 9400448.

FILE LOCATION: MEET CCONFY94-1

COUNCIL ACTION: (Tape location: F080-083.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION. Second by

Mathis. Passed by the following vote: Mathis-yea,
Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,
Stallings-yea, McCarty-not present, Vargas-yea, Mayor
Golding-yea.

* ITEM-125:

SUBJECT: Amendment No. 3 to the Agreement with Lee and Ro for
Engineering Services for Modifications to the Point
Loma Treatment Plant Digesters N1 and N2.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1148) ADOPTED AS RESOLUTION R-283420

Authorizing the execution of a third amendment to the
agreement with Lee & Ro Consulting Engineers (based in
San Diego and Los Angeles), for professional services
in connection with modifications to the Point Loma
Treatment Plant Digesters; Authorizing the expenditure
of an amount not to exceed \$203,016 from Sewer Fund
41508, CIP-46-129.0, Point Loma Digesters N1 and N2,
Roofs and Heating Systems.

CITY MANAGER SUPPORTING INFORMATION:

The existing engineering services contract with Lee & Ro
Consulting Engineers was approved to provide design services for
renovations and improvements to the Point Loma Treatment Plant
Digesters N1, N2, S1 and S2. Master planning of the plant
digestion system has been underway and modifications to the Lee &
Ro's design are recommended. The Metropolitan Wastewater
Department is requesting the expenditure of funds for additional
design modifications to Digesters N1 and N2 to include gravity
overflow withdrawal features, changes from internal heating to
external heating and other design improvements. Lee & Ro
Consulting Engineers is a Minority Business Enterprise and will
not require subconsultants to complete the work.

Aud. Cert. 9400781.

WU-CWP-94-101.

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FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

*** ITEM-126:**

SUBJECT: Amendment to the Agreement with Armando Martinez & Company.

(Districts-4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1096) ADOPTED AS RESOLUTION R-283421

Authorizing the execution of an amendment to the agreement with Armando Martinez & Co., CPA (San Diego), increasing the amount of the contract by \$8,500 to a total of \$32,500; Authorizing the expenditure of not to exceed \$4,500 from Fund 18529, Dept. 4047, Org. 4702, and \$4,000 from Fund 18529, Dept. 4047, Org. 4705.

CITY MANAGER SUPPORTING INFORMATION:

The City uses Armando Martinez and Company, CPA as the City's accounting monitor for Community Development Block Grant contracts between the City and community-based non-profit corporations. Recent Council approval of City contracts with the Black Chamber of Commerce and the San Diego Business Incubator Center now require additional monitoring services for these organizations in the amount of \$8,500.
Aud. Cert. 9400724.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,

Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Agreement with Daneco, Inc. for Professional Services
for the Materials Recovery Facility.

(NAS Miramar Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1086) ADOPTED AS RESOLUTION R-283422

Authorizing the execution of an agreement with Daneco,
Inc. (San Diego), for professional services for the
Materials Recovery Facility; Authorizing the
expenditure of not to exceed \$120,000 from
CIP-37-255.0.

CITY MANAGER SUPPORTING INFORMATION:

The proposed agreement with Daneco, Inc., will provide the professional services required for preliminary design information necessary for environmental analysis of the project pursuant to the California Environmental Quality Act (CEQA). The prospective site for the Facility is at Naval Air Station Miramar near the existing City landfill. Daneco, Inc., was selected for negotiation of a service agreement for the MRF project in August 5, 1991 pursuant to a Procurement Request for Proposals. Daneco is proposed for the work because under the contemplated service agreement for the MRF, Daneco will be responsible for the design, construction, operation and maintenance of the facility.

Aud. Cert. 9400740.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: Agreement with North Park Organization of Businesses, Inc., for funding a Greater San Diego Citizens Patrol Project.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1107) ADOPTED AS RESOLUTION R-283423

Authorizing an agreement with North Park Organization of Businesses, Inc. (San Diego), for the purpose of funding a Greater San Diego Citizens Patrol Project; Authorizing the expenditure of not to exceed \$25,000 from the Human Care Services, Special Fund (Fund 19666).

CITY MANAGER SUPPORTING INFORMATION:

On July 12, 1993, the City Council allocated \$25,000 to the Greater San Diego Citizens Patrol for the purpose of expanding Citizens Patrol programs throughout the City of San Diego. Citizens Patrol is a volunteer organization which seeks to develop stronger police/citizen crime prevention partnerships by strengthening neighborhood policing. Volunteers are trained to observe and report crime as they drive through their communities in vehicles equipped with cellular telephones. The Greater San Diego Citizens Patrol is not presently a nonprofit corporation, and for this reason the City's agreement will be with the North Park Organization of Businesses, Inc., which will act as the umbrella agency.

Aud. Cert. 9400767.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: Two actions related to Rancho Bernardo Library
Relocation.

(Rancho Bernardo Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1072) ADOPTED AS RESOLUTION R-283424

Authorizing the execution of a Purchase Agreement and Joint Escrow Instructions with Park Terrace Partners, to purchase a 0.78-acre site known as Lot 9 of Park Terrace, a planned commercial development, together with a proportional interest in the common areas, for not to exceed \$1,175,000, for the relocation of the Rancho Bernardo Library; Authorizing the execution of a Purchase Agreement and Joint Escrow Instructions with Park Terrace Partners, conveying to Park Terrace Partners, for the amount of \$1,175,000, the existing City-owned Rancho Bernardo Library located at 16840 Bernardo Center Drive; Authorizing the total proceeds of the above sale to be transferred directly into a concurrent escrow account for the purchase of Lot 9 of Park Terrace, for the relocation of the Rancho Bernardo Library; Authorizing a lease agreement with Park Terrace Partners, to leaseback the existing library at 16840 Bernardo Center Drive for a period of up to 30 months, at a rental of \$5,875 per month, plus taxes and all operating expenses, during construction of the new library; Authorizing the expenditure of not to exceed \$16,000 from CIP-35-084.0, Rancho Bernardo Branch Library (Capital Outlay Fund 30245) for acquisition and selling costs related to the sites to be acquired and sold.

Subitem-B: (R-94-1073) ADOPTED AS RESOLUTION R-283425

Certifying that Addendum DEP-91-0485 to Mitigated Negative Declaration DEP-89-1411, in connection with the approval of the relocation of the Rancho Bernardo Library, has been completed in compliance with the California Environmental Quality Act of 1970 and State Guidelines, and that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the

report, together with any comments received during the public review process, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

On November 29, 1993, City Council accepted the award of \$3,618,795 in grant funds from the California Library Construction and Renovation Board to construct a new 20,000 sq. ft. library in Rancho Bernardo on a site within a planned commercial development (PCD), known as Park Terrace. The new site, as proposed in the grant application, consists of a .78-acre lot which will be purchased "in fee" together with a "proportional interest" in the Common Area parking. Approval of this request: 1) authorizes the City Manager to execute a purchase agreement and escrow instructions with Park Terrace Partners to acquire Lot 9 of Park Terrace, together with a proportional interest in the common area parking, at a cost of \$1,175,000, for the relocation of the Rancho Bernardo Library; 2) authorizes the City Manager to execute an exclusive sale and leaseback agreement with Park Terrace Partners, selling Park Terrace Partners the existing library at 16840 Bernardo Center Drive for \$1,175,000 with the total proceeds at close of escrow being transferred to a concurrent escrow for the purchase of the new Park Terrace library site; 3) authorizes the City Manager to execute a lease agreement, leasing back the existing library facility at 16840 Bernardo Center Drive from Park Terrace Partners, for a period of up to 30 months for \$5,875 per month plus taxes and all operating expenses, during construction of the new library; 4) authorizes expenditure of \$16,000 from the Bernardo Branch Library CIP-35-084.0 for acquisition and selling costs related to the transactions.

Aud. Cert. 9400734.

NOTE: See Item 59 on today's docket for a companion item.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

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SUBJECT: Mt. Hope Housing Rehabilitation Program.

(District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1090) CONTINUED TO MARCH 1, 1994, OR AS SOON AS
POSSIBLE THEREAFTER AS DETERMINED BY MAYOR
GOLDING

Authorizing a loan of \$22,000 of CDBG Funds to the
Redevelopment Agency for the Mt. Hope Rehabilitation
Program; Authorizing the Auditor and Comptroller to
transfer not to exceed \$22,000 from Fund 18502 to Fund
98602/Department 9862.

CITY MANAGER SUPPORTING INFORMATION:

The Mt. Hope Housing Rehabilitation Program was established on
July 11, 1991, by joint action/adoption of City Council
Resolution R-278056 and Redevelopment Agency Resolution No. 1980;
and a \$22,000 loan of Community Development Block Grant CDBG
program income to the Redevelopment Agency for the Mt. Hope
Housing Rehabilitation Program was also authorized. The Mt. Hope
Neighborhood Clean-up Program was a part of the housing
rehabilitation program as established. Agency action executing
an agreement with the Mt. Hope/Helix Heights Residents
Association, Inc. authorizing implementation of a two-year
clean-up program was adopted September 14, 1993, Resolution No.
2284; and a contract expenditure of \$22,000 per year, and first
year's funding, was authorized. This resolution would authorize
the loan and transfer of \$22,000 CDBG program income to the
Agency; transfer of monies to the Market Street Industrial Park
low/moderate income housing fund; and authorize a contract
expenditure of \$22,000 for the second year.

Aud. Cert. 9400742.

NOTE: See the Redevelopment Agency Agenda of February 22,
1994 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F184-191; F329-340.)

MOTION BY STEVENS TO CONTINUE THE ITEM FOR TWO WEEKS FOR A
REPORT FROM THE REDEVELOPMENT AGENCY REGARDING MONIES TO

CLEAN ALL THE AREAS. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

MOTION BY STEVENS TO RECONSIDER THE ITEM. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

MOTION BY STEVENS TO CONTINUE THE ITEM FOR ONE WEEK OR AS SOON AS POSSIBLE THEREAFTER AS DETERMINED BY THE MAYOR. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Amendment to the FY 1994 Community Development Block Grant (CDBG) Agreement with the San Diego Housing Commission for a Public Housing Project.

(See Housing Commission Report HCR-94-002CC.
District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1188) ADOPTED AS RESOLUTION R-283426

Authorizing the execution of an amendment to the FY 1994 Community Development Block Grant (CDBG) Agreement with the San Diego Housing Commission, increasing the contract amount and budget to \$5,592,378, by incorporating \$929,000 of additional CDBG funds for site improvements in support of a low-income housing development; Authorizing the Auditor and Comptroller to accept \$929,000, or amount available up to \$929,000, returned to the CDBG Program, and appropriating the funds for the FY 94 CDBG Agreement with the Housing Commission; Authorizing the expenditure of the additional \$929,000 for site improvements and related costs in support of the development of a Public Housing Project at 12655 El Camino Real, contingent upon the funds being available.

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Aud. Cert. 9400819.

NOTE: See the Housing Authority Agenda of February 22, 1994
for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Additions to 1994 Sponsorship Legislation, Permitting
Police Officers to Cite Juveniles for Truancy.

(See Intergovernmental Relations Department Report
IRD-93-3.)

RULES COMMITTEE'S RECOMMENDATION:

On 2/7/94, RULES voted 5-0 to recommend adoption of the following
resolution (Councilmembers Roberts, Stevens, Stallings, McCarty
and Mayor Golding voted yea):

(R-94-1208) ADOPTED AS RESOLUTION R-283427

Adding to the City of San Diego's 1994 Legislative
Sponsorship Program legislation permitting Police
Officers to cite juveniles for truancy.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed
by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present,
Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: Medical Use of Marijuana.

(See Memorandum from Councilmember Kehoe dated 1/25/94).

PUBLIC SERVICES & SAFETY COMMITTEE'S RECOMMENDATION:

On 2/9/94, PS&S voted 5-0 to recommend adoption of the following resolution (Councilmembers Roberts, Kehoe, Stevens, McCarty and Vargas voted yea):

(R-94-1075 Cor.Copy) ADOPTED AS RESOLUTION R-283428

Asking the President and the United States Congress to end federal prohibitions against marijuana's legitimate medical use by creating a rational system of prescriptive medical access to marijuana; Directing that copies of the resolution be transmitted to the President of the United States, the Vice President, the Secretary of the United States Department of Health and Human Services, the United States Attorney General, and the members of the San Diego Congressional Delegation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Four actions related to San Diego's Naval Training Center Reuse Planning Process.

(See City Manager Report P-94-032. Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-1133) ADOPTED AS RESOLUTION R-283429

Recognizing the Mayor's Reuse Planning Committee as the appropriate vehicle to determine the community's

priorities regarding the reuse of San Diego's Naval Training Center (NTC) and to guide planning efforts; Authorizing the City Manager to submit federal and/or state grant applications where funds are available for planning and implementation of the NTC reuse plan; Acknowledging that the City will be required to provide 25 percent matching funds for any federal monies received, and that additional Council authorization for such matching funds will be required, unless monies are set aside and available in a Council-approved City budget for such purposes.

Subitem-B: (R-94-1134) ADOPTED AS RESOLUTION R-283430

Authorizing the City Manager to enter into a Memorandum of Understanding with the Navy, for joint preparation of an EIR/EIS for the disposal of the NTC property and the reuse plan.

Subitem-C: (R-94-1135) ADOPTED AS RESOLUTION R-283431

Making the following findings for a threshold determination to initiate a "Phase Shift" to change the current Future Urbanizing designation for the Naval Training Center: 1) that the proposed Land Use Plan or Local Coastal Program amendment is consistent with the goals and objectives of the Progress Guide and General Plan; 2) that the proposed Land Use Plan or Local Coastal Program amendment appears to offer a public benefit to the community or City; Approving the threshold determination and referring the application back to the Planning Commission for more detailed review.

Subitem-D: (R-94-1136) ADOPTED AS RESOLUTION R-283432

Making the following findings based upon written documents and testimony before the Council: 1) that the proposed Land Use Plan or Local Coastal Program amendment is consistent with the goals and objectives of the Progress Guide and General Plan; 2) that the proposed Land Use Plan or Local Coastal Program amendment appears to offer a public benefit to the community or City; 3) that public services appear to be available to serve the proposed increase in density or intensity of use; and 4) City staff is available to process the proposed Land Use Plan or Local Coastal Program amendment without any work being deferred on General Fund-supported programs or on-going updates;

Initiating the amendments to the Progress Guide and General Plan, the Peninsula Community Plan, the Midway Community Plan and the City's Local Coastal Program.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A400-606.)

CONSENT MOTION BY KEHOE TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-150: REFERRED TO THE CITY ATTORNEY

SUBJECT: Possible Charter Amendments for Filling City Council Vacancies. (See Joint Report from the City Attorney and City Clerk dated 1/28/94.) (1) Review the options presented in the Joint Report from the City Attorney and City Clerk; (2) Direct the City Attorney to prepare the appropriate Charter Amendment language from the option selected by the City Council; (3) Direct the City Attorney to prepare the required Ordinance calling the Special Election and the Resolution requesting that the Special Election be consolidated with the State-wide primary election to be held on June 7, 1994. The Ordinance and resolution should be docketed for final approval no later than March 8, 1994.

RULES COMMITTEE'S RECOMMENDATION:

On 2/7/94, Rules voted 5-0 to refer the matter to the City Council without recommendation. Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B100-C151.)

MOTION BY ROBERTS TO DIRECT THE CITY ATTORNEY, THE CITY MANAGER, AND THE CITY CLERK'S OFFICE TO LOOK AT FULLY DEVELOPING THE OPTION OF COUNCIL APPOINTING A PERSON FOR LESS THAN ONE YEAR WHO WOULD BE INELIGIBLE TO RUN IN THE NEXT ELECTION TO FILL THE FULL TERM OF THAT SAME SEAT. BRING BACK VISUALS, SCENARIOS, AND REAL LIFE EXAMPLES ON

MARCH 1, 1994 FOR COUNCIL CONSIDERATION. Second by Kehoe.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-not present, Vargas-nay, Mayor Golding-yea.

ITEM-200:

SUBJECT: Three actions related to Amendment of the Smoking
Ordinance.

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinances:

Subitem-A: (O-94-55) INTRODUCED AS AMENDED, TO BE
ADOPTED ON MARCH 7, 1994

Introduction of an Ordinance amending the San Diego
Municipal Code by re-titling Chapter IV, Article 3 to
"Environmental Health Quality Controls"; by creating a
new Division 10 in Chapter IV, Article 3, entitled
"Smoking Regulations"; and by amending, renumbering and
repealing various Sections all relating to Regulations
Affecting the Smoking of Tobacco or any other Weed or
Plant. This Ordinance, which would become effective on
July 1, 1994 contains the following provisions:
Restaurants are required to designate 70% of indoor
seating capacity as a nonsmoking area, and, after July
1, 1995 designate 80% of indoor seating capacity as a
nonsmoking area; Bars that share space with
restaurants are required to designate 70% of indoor
seating capacity as a nonsmoking area, and, after July
1, 1995, designate 80% of indoor seating capacity as a
nonsmoking area; Smoking areas may be designated in
places of employment only in fully enclosed areas that
meet ventilation standards recommended by the National
Institute for Occupational Safety and Health (NIOSH).
Smoking areas shall not be designated in a Shared Work
Area. Changes the penalty provisions for violation to
a misdemeanor.

Subitem-B: (O-94-56) INTRODUCED, TO BE ADOPTED ON
MARCH 7, 1994

Introduction of an Ordinance amending the San Diego
Municipal Code by creating a new Division 11 in Chapter
IV, Article 3, entitled "Prohibition of Tobacco

Vending Machines," and by adding Sections 43.1101, 43.1102, 43.1103 and 43.1104, relating to Regulations Affecting Tobacco Vending Machines, to prohibit all tobacco vending machines effective July 1, 1994.

Subitem-C: (O-94-57) INTRODUCED, TO BE ADOPTED ON
MARCH 7, 1994

Introduction of an Ordinance amending Chapter IV, Article 2, Division 1 of the San Diego Municipal Code by renumbering, amending and re-titling various Sections; by repealing the title to Division 2 of Article 5 and the title to Article 5 of Chapter IV all relating to Food Handling Activities, Smoking Regulations and Health Regulated Businesses.

NOTE: Subitem C is a housekeeping measure which is a companion to Subitem A. Subitem C can only be acted upon if Council votes to introduce Subitem A. (Subitem B can be acted upon separately.)

CITY MANAGER SUPPORTING INFORMATION:

At the Council's direction, the Smoking Ordinance Task Force provided recommendations to amend the ordinance via City Manager's Report CMR-93-298. On November 30, 1993, the Council voted to amend the City's Smoking Ordinance in five areas: 1) workplaces will be smoke-free, but employers will have the option to provide private offices or designated smoking areas that meet the National Institute for Occupational Safety and Health ventilation requirements; 2) the penalty for violation will be a misdemeanor; 3) restaurants will be 70 percent smoke-free as of 7/1/94, and 80 percent smoke-free as of 7/1/95, with a review in January, 1996; 4) bars that share space with restaurants will be 70 percent smoke-free as of 7/1/94, and 80 percent smoke-free as of 7/1/95; and 5) all tobacco vending machines are banned as of 7/1/94.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: C158-610; D010-241.)

MOTION BY ROBERTS TO INTRODUCE THE ORDINANCES AS AMENDED BY INTER LINEATION TO TREAT BINGO HALLS SIMILAR TO RESTAURANTS BY AMENDING AS FOLLOWS: "SECTION 5. THAT CHAPTER IV, ARTICLE 5, DIVISION 1, OF THE SAN DIEGO MUNICIPAL CODE BE, AND THE SAME IS HEREBY AMENDED BY RENUMBERING AND AMENDING SECTION 45.0104 AND 45.0105 TO SECTIONS 43.1004 AND 43.1005, RESPECTIVELY, TO READ AS FOLLOWS: SECTION 43.1004

DESIGNATION OF SMOKING AREAS. (A) SMOKING AREAS MAY BE DESIGNATED IN PUBLIC PLACES AND FACILITIES WHERE BINGO GAMES ARE CONDUCTED PURSUANT TO SECTION 33.3401 ET SEQ. BY PROPRIETORS OR OTHER PERSONS IN CHARGE EXCEPT IN RETAIL STORES, RETAIL SERVICE ESTABLISHMENTS, FOOD MARKETS, FOOD SERVICE LINES,". Second by Vargas.
The motion was divided. The amendment passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-nay. Introduction of the ordinances as amended passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Declaring a Continued State of Emergency regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1128) ADOPTED AS RESOLUTION R-283433

Declaring a continued State of Emergency to persist regarding the discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City

can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows to the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every 14 days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993 and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-098.)

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204, 205, 206, AND 330. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Awarding contracts for the East Mission Bay Pipeline North and South Projects.

(La Jolla and North Clairemont Community Areas.
Districts-1 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-986) ADOPTED AS RESOLUTION R-283444

Authorizing the City Manager to award two contracts for the East Mission Bay Pipeline Northern NRP-2A and East Mission Bay Pipeline Southern NRP-2B; Authorizing the expenditure of not to exceed \$12,869,353 from the Clean Water Program Fund 41509, CIP-40-910.4 EMB as follows: \$2,000,000 in FY 94 and \$10,869,353 in FY 95 contingent

upon Council appropriating funds for this purpose in the FY 1995 CIP budget; Authorizing the expenditure of \$989,430 from FY 94 for other related costs; Stating for the record that the previously certified Environmental Impact Report DEP-92-0613 was reviewed and considered by the Council. (BID-K94032/K94033)

CITY MANAGER SUPPORTING INFORMATION:

The East Mission Bay Pipeline project is an integral part of the North City Water Reclamation Plant Subsystem. The entire East Mission Bay Pipeline extends 22,000 linear feet from Rose Canyon southward to the intersection of Napa Street and Friars Road, where it connects to the proposed Point Loma Tunnel Outfall Facility. The East Mission Bay Pipeline is divided into two projects, each of which is 11,000 linear feet long. The East Mission Bay Pipeline (North) extends from the Third Rose Canyon pipeline to a connection point with the East Mission Bay Pipeline (South). This connection point is on Morena Boulevard near Clairemont Drive. East Mission Bay Pipeline(South) continues to its connection point to the Point Loma Tunnel Outfall Facility, which will ultimately carry the effluent to a deep ocean outfall.

Aud. Certs. 9400719, 9400720.

WU-CWP-94-072.

FILE LOCATION: W.O. 196980 CONT - East Mission Bay Pipeline Norther NRP-2A and East Mission Bay Pipeline Southern NRP-2B CONFY94-2

COUNCIL ACTION: (Tape location: D662-E042.)

MOTION BY STEVENS TO ADOPT THE RESOLUTION. Second by Roberts. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Three actions related to San Diego Open Space Park Facilities District No. 1 General Obligation Bonds (1994 Refunding).

(See City Manager Report CMR-94-30.) NOTE: See Items 204 and 205 for companion items.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions and introduce the ordinance:

Subitem-A: (R-94-1145 Cor. 5/2/94) ADOPTED AS RESOLUTION
R-283434

Authorizing the issuance and sale of not to exceed \$65,000,000 principal amount of San Diego Open Space Park Facilities District No. 1 General Obligation Bonds Refunding Series 1994, prescribing the terms and form of the bonds; Fixing the maximum rate of interest on the bonds; Authorizing the execution of the bonds; Providing for the application of certain moneys pledged by the City to pay the principal and interest and the levy of tax by the District in the event that moneys pledged by the City are insufficient; Prescribing the terms of sale of the bonds; Approving the forms of Official Statement, Official Notice of Sale, Notice of Intention to sell Bonds and Escrow Agreement; Authorizing appointment of paying agent; Authorizing execution of necessary certificates.

Subitem-B: (O-94-72) INTRODUCED, TO BE ADOPTED MARCH
7, 1994

Introduction of an Ordinance pledging 2/3 of the moneys paid into the Environmental Growth Fund to pay debt service on the 1994 Refunding General Obligation Bonds of the San Diego Open Space Park Facilities District No. 1.

Subitem-C: (R-94-1156 Cor. 2/9/94) ADOPTED AS RESOLUTION
R-283435

Amending Resolution R-272158, adopted October 24, 1988, to add the following language: "That funds in the Capital Outlay Fund created may be used to pay debt service on Open Space Bonds issued by the San Diego Open Space Park Facilities District No. 1"; Amending the Capital Improvements Program FY 94 Budget by increasing Capital Improvements Project CIP-20-006.1, Open Space Park Facilities District No. 1, by the amount in the Capital Outlay Open Space Acquisition fund available for debt service; Authorizing the related expenditure of approximately \$1 million.

Aud. Cert. 9400801.

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FILE LOCATION: SUBITEMS-A&C: STRT OS-1; SUBITEM-B:
NONE

COUNCIL ACTION: (Tape location: B018-098.)

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204, 205, 206, AND 330. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-204:

SUBJECT: Two actions related to City of San Diego/MTDB Joint Powers Authority 1994 Lease Revenue Refunding Bonds.

(See City Manager Report CMR-94-31.)

NOTE: See Items 203 and 205 for companion items.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the following ordinance:

Subitem-A: (R-94-1152 Cor. Copy) ADOPTED AS RESOLUTION
R-283436

Requesting that the City of San Diego/MTDB Joint Powers Authority (the JPA) authorize the execution, delivery and sale of \$68 million principal amount of Lease Revenue Bonds (1994 Refundings) to refund the 1986 Refunding Certificates of Participation (Police Capital Improvements Program, the "1986 COPS") and the 1989 Lease Revenue Bonds (San Diego Bayside Light Rail Transit Extension, the "1989 Bonds") for the purpose of reducing annual lease payments; Approving the forms of Preliminary Official Statement, Official Notice of Sale, Bid Form, and related financing documents.

Subitem-B: (O-94-73 Cor. Copy) INTRODUCED, TO BE
ADOPTED MARCH 7, 1994

Introduction of an Ordinance authorizing the execution of financing documents necessary for the issuance of Lease Revenue Bonds.

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FILE LOCATION: SUBITEM-A: MEET; SUBITEM-B: NONE

COUNCIL ACTION: (Tape location: B018-098.)

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204, 205, 206, AND 330. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

Feb-22-1994 RECORDER=rb

ITEM-205:

SUBJECT: 1994 Balboa Park/Mission Bay Park Capital Improvements Program Refunding Certificates of Participation.

(See City Manager Report CMR-94-32.)

NOTE: See Items 203 and 204 for companion items.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution and introduce the ordinance:

Subitem-A: (R-94-1153) ADOPTED AS RESOLUTION R-283437

Adoption of a Resolution authorizing the execution, sale and delivery of not to exceed \$13 million principal amount of 1994 Balboa Park and Mission Bay Park Capital Improvements Program Refunding Certificates of Participation (the "1994 COPs") for the purpose of reducing annual lease payments; Approving the forms of Preliminary Official Statement, Notice of Sale, Bid Form and related financing documents.

Subitem-B: (O-94-74) INTRODUCED, TO BE ADOPTED MARCH 7, 1994

Introduction of an Ordinance authorizing the issuance and sale of not to exceed \$13 million principal amount of 1994 Balboa Park and Mission Bay Park Capital Improvements Program Refunding Certificates of Participation (the "1994 COPs") for the purpose of reducing annual lease payments; and authorizing the execution of documents necessary for the issuance of Refunding Certificates of Participation.

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FILE LOCATION: SUBITEM-A: MEET; SUBITEM-B: NONE

COUNCIL ACTION: (Tape location: B018-098.)

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204, 205, 206, AND 330. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-206:

SUBJECT: Calle Cristobal Assessment District No. 4013 -
Assessment Reapportionment.

(Mira Mesa Community Area. District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1111) ADOPTED AS RESOLUTION R-283438

Authorizing the execution of a Reimbursement Agreement with Pardee Construction Company; Authorizing the City Auditor and Comptroller to establish the Calle Cristobal Second Assessment Reapportionment Fund; Authorizing the City Auditor and Comptroller to accept a cash advance of \$15,000 from BA Properties, Inc.

CITY MANAGER SUPPORTING INFORMATION:

On May 23, 1989, the San Diego City Council confirmed assessments for Assessment District No. 4013 (Calle Cristobal). Lopez Ridge (Subdivision Map-12029) is one of the developments included in the District. Eighteen lots of Map-12029 were identified as building sites for multifamily housing units. Each lot received an assessment based on the number of equivalent dwelling units planned for the lot. None of the proposed units have been constructed, and the entire Lopez Ridge development remains vacant. The owners of the property have received approval to re-subdivide 28 existing Lopez Ridge lots into a 10 unit subdivision known as Monarch Estates. The development will contain 523 single family units instead of the 1,292 multifamily units originally proposed. Because the type, number, and location of dwelling units which were proposed for the Lopez Ridge development differ from those which are proposed for the

Monarch Estates Development, the existing assessment on each Lopez Ridge lot is no longer based on the number of equivalent dwelling units planned for the lot. Therefore, if the existing assessments on Lopez Ridge lots are apportioned to the new Monarch Estates lots which will be filed over the Lopez Ridge lots, the resulting assessments placed on Monarch Estates single family lots will vary widely, contrary to the intent of the original assessment spread. In order to avoid this situation, the property owner has requested a reapportionment of the original assessments. This Council action will authorize the City Manager to execute an "Assessment District Reimbursement Agreement" with Pardee Construction Company. Following execution of the agreement, staff will re-spread the assessments and proceed with changes and modifications to the Final Engineer's Report for the District. Council approval of the modified Engineer's Report will be required prior to scheduling a public hearing to confirm the modified assessments.

Aud. Cert. 9400642.

FILE LOCATION: STRT D-2258 CONT FY94-1

COUNCIL ACTION: (Tape location: B018-098.)

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204, 205, 206, AND 330. Second by Kehoe. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

Feb-22-1994 RECORDER=mp

ITEM-207:

SUBJECT: Default and Debarment of DWM Construction for the construction of Taylor Branch Library (Pacific Beach) and Kensington Park Play Area (Mid-City).

(Pacific Beach and Mid-City Community Areas.
District-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1186) ADOPTED AS RESOLUTION R-283445

Declaring DWM Construction to be in default of its contracts for the construction of: a) Kensington Park Play Area CIP-29-778.0; and b) Taylor Branch Library Park, CIP-35-073.0 and terminating both contracts; Authorizing the City Manager to direct the surety for DWM Construction to complete these projects; Declaring DWM Construction and its sole officer and principal, Woody Woodward, to be non-responsible bidders and ineligible to submit bids to the City for a period of three years pursuant to San Diego Municipal Code Section 22.0514 and upon the advice of the City Manager and the City Attorney.

CITY MANAGER SUPPORTING INFORMATION:

The City Manager authorized a contract for: a) \$38,760 for the construction for the Kensington Park Play Area, and b) \$144,500 for the construction of the Taylor Branch Library Park, to DWM Construction Company on April 15, 1993, and November 5, 1993, respectively. The Kensington Park Play Area is approximately 85 percent complete, while the Taylor Branch Library Park has not started construction (0% complete).

In a letter to one of their subcontractors, DWM Construction stated that further construction work on the Kensington Park Plan Area had been halted due to bankruptcy of the firm. Attempts to contact DWM on the progress of Kensington Park Play Area and the pre-construction meeting for the construction of Taylor Branch Library Park have failed, its office has closed, and its telephone has been disconnected. No work has been performed on the Kensington Park Play Area since early January 1994. The contract clearly states that the Board (City Council) may cancel the contract when the Contractor (DWM Construction) is not complying with the terms of the contract in good faith or has become insolvent. Therefore, staff is recommending that default and debarment action be taken at this time.

FILE LOCATION: CONT - DWM Construction CONT-L.R. Hubbard
 Construction Co. Inc. (W.O. 119418)

COUNCIL ACTION: (Tape location: E076-172.)

MOTION BY KEHOE TO APPROVE THE CITY MANAGER'S RECOMMENDATION WITH THE DIRECTION TO HAVE THE PARK OPENED NO LATER THAN MARCH 31, 1994. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-330:

SUBJECT: Approval of the City's Self-Certification Progress
Report as a part of the process adopted for the
Regional Growth Management Strategy (Council Resolution
R-280649).

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1050) ADOPTED AS RESOLUTION R-283439

Adoption of a Resolution approving the City's 1993
Self-Certification Consistency Checklist and transmitting it
to the Regional Planning and Growth Management Review Board.

SUPPORTING INFORMATION:

On April 7, 1992, the Council approved the Regional Growth
Management Strategy. The Strategy, which was initiated by
voter approval of the Proposition C advisory measure in
November 1988, was developed with extensive input from local
governments within the region. It includes quality of life
standards and objectives and a local government
self-certification process to determine local/regional
consistency. The current Self-Certification Progress Report
reflects the City's achievements in pursuing the goals of
the Regional Strategy.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B018-098.)

Hearing began at 10:25 a.m. and halted at 10:30 a.m.

CONSENT MOTION BY STALLINGS TO APPROVE ITEMS 201, 203, 204,
205, 206, AND 330. Second by Kehoe. Passed by the
following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-not
present, Vargas-yea, Mayor Golding-yea.

ITEM-331:

SUBJECT: Matter of an amendment to the North City Future
Urbanizing Area Framework Plan and General Plan for the

Hu Family Trust property.

(GPA-35-0359/7471. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-979) ADOPTED AS RESOLUTION R-283446

Adoption of a Resolution amending the Framework Plan
and Progress Guide and General Plan.

SUPPORTING INFORMATION:

The proposed amendment would exempt the Hu Family Trust from the requirement that a single, unified subarea plan be prepared prior to adoption and voter consideration of a phase shift from the future urbanizing to the planned urbanizing designation in the General Plan. The proposed amendment would require preparation of a generalized land use plan for the property prior to Council action on a phase shift.

LEGAL DESCRIPTION:

Located on the southeast corner of Via de la Valle and El Camino Real. The subject property is more particularly described as a portion of the north half of the southeast quarter and the northeast quarter of the southeast quarter, Section 6, Township 14 South, Range 3 West, SBBM.

FILE LOCATION: LAND - General Plan Future Urbanizing

COUNCIL ACTION: (Tape location: D245-339.)

Hearing began at 2:29 p.m. and halted at 2:33 p.m.

Testimony in favor by Don Worley.

MOTION BY MATHIS TO ADOPT THE RESOLUTION. Second by Vargas.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-not present, Vargas-yea, Mayor Golding-yea.

ITEM-S400:

SUBJECT: San Diego Technology Council Programs.

(See City Manager Report CMR-94-35.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1158) ADOPTED AS RESOLUTION R-283447

Authorizing the formation of the San Diego Technology Council with 5 members to be chosen by the San Diego County Board of Supervisors and 8 members to be chosen by the Mayor with City Council confirmation; Proposing that representatives of the San Diego Technology Council include the following:

- a. Thirteen industry chief executive officers (CEOs) from representing technologies in the region such as biomedical, health care, software, transportation, electronics, environmental, telecommunications, and marine.
- b. The Chair of the AFL-CIO Central Labor Council.
- c. Representatives from the region's colleges and universities including the University of California, San Diego; San Diego State University; and the San Diego Community College District.
- d. Representatives from the Federal Laboratory Consortium, Navy laboratory, financial community, and San Diego Gas and Electric.
- e. Representatives from the Boards of the Greater San Diego Chamber of Commerce, Economic Development Corporation, San Diego Consortium and Private Industry Council, and World Trade Center Association.
- f. At large representatives representing the Mayor of the City of San Diego, the Chair of the San Diego County Board of Supervisors, the San Diego Congressional Delegation, and the Los Angeles Technology Alliance.
- g. Representatives should include small business, women, minority, and disabled veteran businesses.

Allocating up to \$175,000 to the San Diego Technology Council annually for three years for research and development projects which will enhance the region's

competitiveness; Accepting a \$250,000 grant from the State of California to establish the San Diego Regional Technology Alliance; Directing the City Manager and City Attorney to proceed with incorporation of the San Diego Regional Technology Alliance Corporation, and return to the City Council for ratification of the incorporation; Accepting \$5,780,000 in grants from the United States Department of Commerce and authorizing the City Manager to administer the program and expend the funds as specified in the grant application; Authorizing the City Manager to negotiate agreements or memorandums of understanding (MOUs) with the following organizations, for the amounts listed, with those agreements or MOUs to be brought back to the City Council for approval:

- a. The Economic Development Corporation for \$343,623;
- b. The Supercomputer Center for \$157,626;
- c. The University of California, San Diego CONNECT, for \$174,490;
- d. The Community College District for \$1,945,750;
- e. The World Trade Center Association for \$850,597;
- f. A Memorandum of Understanding with San Diego State University;
- g. A Memorandum of Understanding with the Small Business Finance Corporation.

Authorizing the City Manager to expend \$2,307,712 which is the City's allocated monies from the United States Department of Commerce grant, along with the City's matching funds in the amount of \$280,000 in cash and \$462,202 in kind, as previously approved by the City Council and set out in the grant.

Aud. Certs. 9400749-9400755.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D347-654.)

MOTION BY VARGAS TO ADOPT THE RESOLUTION. Second by Stevens. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea,

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Stallings-yea, McCarty-not present, Vargas-yea, Mayor
Golding-yea.

ITEM-CS-1: (R-94-1230) ADOPTED AS RESOLUTION R-283440

A Resolution adopted by the City Council in Closed Session on February 22, 1994: Authorizing the City Manager to pay the total sum of \$51,000.00 in the settlement of each and every claim against the City of San Diego, its agents and employees, resulting from the personal injury claim of Richard Lee; authorizing the City Auditor and Comptroller to issue one check in the amount of \$51,000.00 made payable to Richard Lee and his attorney of record, Thomas V. Grimes, in full settlement of all claims.

Aud. Cert. 9400808

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:44 p.m. in honor of the memory of Douglas R. Trinkle and Cleo Gross as requested by the Employee Benefits Manager, and Renee Yvonne Ellis as requested by Deputy Mayor Stevens.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G437-463).